

PR

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
 JAMES WILLIAMS d/b/a J&W AUTO PARTS AND SALES, et al., 1
 v
 THE CITY OF CHICAGO, et al.

JAN 29 2008
 307 201 2008
 08 C 000051 51
 MICHAEL W. DOBBINS
 CLERK, U.S. DISTRICT COURT

And with concurrent and reciprocal jurisdiction being administered by, and through;

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS- CHANCERY DIVISION
 JAIME HERNANDEZ d/b/a AZTEC TRUCKING INC., et al., 1
 v
 THE CITY OF CHICAGO, et al.

07 CH 26147

NOTICE OF AFFIRMATIVE RELIEF WITH ORDER OF HEARING DATE

The undersigned Pro Se' Petitioner herewith gives notice to all parties and both jurisdictions, that on January 11, 2008, in The Circuit Court Of Cook County, Illinois, by the authority of, and through the person of Judge Leroy K. Martin, Jr., granted all Plaintiffs' Motions to Consolidate (ex post facto) and initiated concurrent and reciprocal jurisdictional statutes for both of the above captioned Courts, consolidating these matters into one case, with severability of fact and judgment, with the jurisdictional authority and in accord with Illinois and United States Of America Law and U.S. District Court rules, as ordered and entered, as a summary judgment, as plead and agreed between the Parties, and set a Contested Motion Hearing, for January 31, 2008, at 2:00 pm., in Room 2008, of the Richard J. Daley Center, 50 W. Washington, Chicago, Illinois, with a copy of the referenced order attached.

As noticed and filed with the Illinois Court, on December 24, 2007, on the day the referenced order was entered, this Plaintiff provided a copy of this Plaintiff's Requested Order as service, on the Respondents' Attorney, and as part of this notice, includes, as a courtesy copy, including notice of mailing this notice, has mailed to Judge Martin, said requested Order, as part of this Notice, and all attachments hereto, which is notice of notice of courtesy copies, to his Court Room 2008, in the Daley Center

This Notice, with copy of Consolidation, Concurrent Jurisdiction and Summary Judgment And Order for Hearing, and all attachments, hereto, and listed herein, as courtesy copies, have been individually mailed to the following Judges and Magistrates; Judge Hibbler and Magistrate Keys, 08 C 0051, (lead case); Judge Guzman and Magistrate Denlow, 08 C 0052; Judge Gottschall, 08 C 0053 & 08 C 0054; Magistrate Nolan, 08 C 0053; Magistrate Schenkier, 08 C 0054; Judge Manning and Magistrate Mason, 08 C 0056; all at U.S. District Courthouse, 219 S. Dearborn, Chicago, Illinois 60604.

Notice is herewith given to all parties by statute and rule, both Illinois and Federal, it is permissible for judges having concurrent and consolidated cases to conference and discuss the matter, or matters before them.

This Notice, with all attachments listed; 1. Notice; 2. Concurrent Consolidation Summary Judgment Hearing Date Order; 3. All Consolidated Pro Se' Appearance Forms; 4. Requested Docket Correction, U.S. District Court; 5. Requested Docket Correction, Circuit Court; 5. Various Mailings; have been mailed to the above named Judges and Magistrate Judges, and to the following, in compliance with Rule 77 of the Federal Rules Civil Procedure:

All Respondents' Attorney of Record; Corporation Counsel

ATT: John Schomberg

30 N. LaSalle St.

Chicago, IL 60602-2580

Two copies to the Clerk of U.S. District Court, one for my case, 08 C Consolidated (lead) case file, 08 C 0051; Clerk Of The U.S. District Court

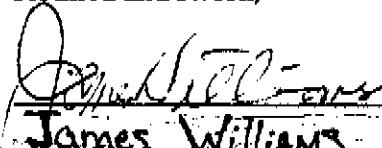
United States Courthouse
219 S. Dearborn
Chicago, IL 60604

file; and one for the

Clerk Of the Circuit Court
County Department-Chancery Division
ATT: Docketing Section
50 W. Washington
Chicago, IL 60602

Take notice, all interested parties, persons and/or entities, that the above captioned matters, as a Consolidated Reciprocal Jurisdiction Summary Contested Motion Hearing, with authority and jurisdiction of the Cook County, Illinois Circuit Court and the United States District Court for the Northern District of Illinois, that on January 31, 2008, at 2:00 p.m., in Room 2008, of the Richard J. Daley Center, 50 W. Washington, Chicago, Illinois, Judge L.K. Martin, Jr. or any judge sitting in his stead, will enter summary judgment, or within thirty days thereof, as a final judgment on these matters, whereat, said judgment is removed to the U.S. District Court, Chicago, Illinois, for ratification of that final judgment, by any Judge or Magistrate Judge as may be assigned. And that, at said hearing, Judge Martin may enter a Contempt Judgment against any party that offends or interferes with his administration of Judicial Authority at his discretion.

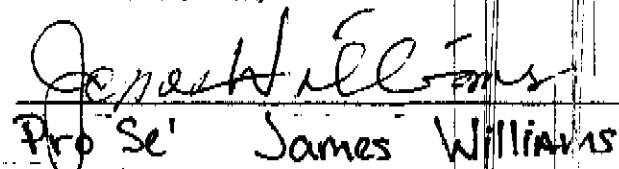
Certified and sworn,


James Williams

Pro Se

I, James Williams, do hereby swear, attest and certify that on _____
I have mailed U.S. Postal First Class, postage pre-paid, to the above stated parties, in compliance
with Illinois and Federal Rules Of Civil Procedure.

Certified and Sworn,


Pro Se James Williams

James Williams
Pro Se
6841 S. Kenwood St
Chicago, IL 60602

U.S. DISTRICT COURT CLERK, FILE ONE COPY IN MY CASE FILE; 08 C 0051

U.S. DISTRICT COURT CLERK, FILE ONE COPY IN THE CONSOLIDATED CASE FILE; 08 C 0051.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CHANCERY DIVISION

Hernandez et al.

v.

No. 07 CH 26147

City of Chicago et al.

ORDER FOR CONTESTED MOTION HEARING DATE

THIS CASE COMING before the Court on the Status Call for Contested Motions for Chancery
Calendar 13, all courtesy copies of briefs having been tendered by the movant to the court, and the
court being fully advised in the premises:

IT IS ORDERED: A hearing will be held in this case on the motion to Dismissing

Reserve to Settle 2-619-1

on

January 31, 2008, at 2:00 a.m./p.m.

Motions for continuance of a hearing date will be entertained on the 10:00 a.m. motion call no later
than five (5) business days before the hearing date.

Name: John Schemberg
Atty. Code: 96969

Attorney for: Defendants
Address: 30 N. LaSalle, Ste 1230
City: Chicago IL 60602
Phone Number: 312-744-9010

DATE: _____

Judge LeRoy K. Martin, Jr.

ENTER:

JUDGE LEROY K. MARTIN, JR.

Circuit Court - 1844

US DISTRICT COURT NORTHERN DISTRICT

Clemon Lacy d/b/a Lacy Enterprises

08 C 0056

v.

City of Chicago, et. al.

AS CONCURRENTLY FILED IN CIRCUIT COURT OF COOK COUNTY, CHICAGO, ILLINOIS

Clemon Lacy d/b/a Lacy Enterprises

07 CH 26147

v.

City of Chicago, et. al.

ORDER

BE IT KNOWN to all parties in the four quarters of the United States of America, with the full judicial authority emanating from the US Constitution, I, **JUDGE LEROY K. MARTIN, JR.**, of the Circuit Court of Cook County, Illinois to be ratified by the judge (s) of the US District Northern Division Eastern District, do hereby order decree and enter the following judgment in favor of Clemon Lacy d/b/a Lacy Enterprises, in the above captioned matter.

1. Respondent (s) have constructively entered a no contest plea having filed a constructive summary judgment requiring no further actions or arguments by any court and Respondent (s) have admitted full and equal responsibility with all severability, personally, as a government unit and as a corporation with the civil liability of an ongoing unlawful enterprise abuse of positional authority, taking, obtaining and/or diverting and commingling unlawfully obtained monies and waived all appeal rights.

Affirmed

Cook County Circuit Court

Judge Leroy K. Martin Jr.

Ratified by

Judge of US District Court

2. Paul Volpe has admitted personally liability and in accord with law, pursuant to law, this Court orders a judgment of \$ _____ is entered against him personally in all severability.

A. All personal accounts, properties of said respondent be frozen and assigned to above named plaintiff.

3. Tom Kness has admitted personally liability and in accord with law, pursuant to law, this Court orders a judgment of \$ _____ is entered against him personally in all severability.

A. All personal accounts, properties of said respondent be frozen and assigned to above named plaintiff.

4. Mayor Richard M. Daley has until _____, 2008 to admit or deny his personal liability.

5. All Recipients of the unlawfully diverted, commingled, or obtained City of Chicago funds meant for this plaintiff, are equally liable in all severability for the judgment amount of \$ _____, as a (John Doe warrant and judgment).

A. All attorneys and accountant of and for the John Doe third parties are equally liable in all severability for this judgment.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CHANCERY DIVISION

Hernandez et al.

v.

City of Chicago et al.

No. 07 CH 26147

ORDER FOR CONTESTED MOTION HEARING DATE

THIS CASE COMING before the Court on the Status Call for Contested Motions for Chancery
Calendar 13, all courtesy copies of briefs having been tendered by the movant to the court, and the
court being fully advised in the premises:

IT IS ORDERED: A hearing will be held in this case on the motion to Dismiss

Pursuant to Section 2-619.1

on

January 31, 2008, at 2:00 a.m./p.m.

Motions for continuance of a hearing date will be entertained on the 10:00 a.m. motion call no later
than five (5) business days before the hearing date.

Name: John Schenkberg

Atty. Code: 90969

Attorney for: Defendants

Address: 30 N. LaSalle, Ste 1230

City: Chicago, IL 60602

Phone Number:

312-744-9010

DATE: _____

Judge LeRoy K. Martin, Jr.

ENTER: _____

JUDGE LEROY K. MARTIN, JR.

Circuit Court - 1844

US DISTRICT COURT NORTHERN DISTRICT

Clemon Lacy d/b/a Lacy Enterprises # 08 C 0056

v.

City of Chicago, et. al.

AS CONCURRENTLY FILED IN CIRCUIT COURT OF COOK COUNTY, CHICAGO, ILLINOIS

Clemon Lacy d/b/a Lacy Enterprises # 07 CH 26147

v.

City of Chicago, et. al.

ORDER

BE IT KNOWN to all parties in the four quarters of the United States of America, with the full judicial authority emanating from the US Constitution, I, **JUDGE LEROY K. MARTIN, JR.**, of the Circuit Court of Cook County, Illinois to be ratified by the judge (s) of the US District Northern Division Eastern District, do hereby order decree and enter the following judgment in favor of Clemon Lacy d/b/a Lacy Enterprises, in the above captioned matter.

1. Respondent (s) have constructively entered a no contest plea having filed a constructive summary judgment requiring no further actions or arguments by any court and Respondent (s) have admitted full and equal responsibility with all severability, personally, as a government unit and as a corporation with the civil liability of an ongoing unlawful enterprise abuse of positional authority, taking, obtaining and/or diverting and commingling unlawfully obtained monies and waived all appeal rights.

Affirmed

Cook County Circuit Court

Judge: Leroy K. Martin Jr.

Ratified by

Judge of US District Court

2. Paul Volpe has admitted personally liability and in accord with law, pursuant to law, this Court orders a judgment of \$ _____ is entered against him personally in all severability.

A. All personal accounts, properties of said respondent be frozen and assigned to above named plaintiff.

3. Tom Kness has admitted personally liability and in accord with law, pursuant to law, this Court orders a judgment of \$ _____ is entered against him personally in all severability.

A. All personal accounts, properties of said respondent be frozen and assigned to above named plaintiff.

4. Mayor Richard M. Daley has until _____, 2008 to admit or deny his personal liability.

5. All Recipients of the unlawfully diverted, commingled, or obtained City of Chicago funds meant for this plaintiff, are equally liable in all severability for the judgment amount of \$ _____, as a (John Doe warrant and judgment).

A. All attorneys and accountant of and for the John Doe third parties are equally liable in all severability for this judgment.

B. All professional malpractice insurance carriers of said attorneys and accountants of and for the John Doe third parties are equally liable in all severability for the judgment.

6. This Plaintiff's Motion to Consolidate cases into one matter before this Court is herewith granted Ex Post Facto.

7. All Respondent(s) are equally with all severability liable to Clemon Lacy d/b/a Lacy Enterprises for a bad faith non-compliance with a trucking cartage agreement contract shortages of \$9,828,000.00.

A. As a rule of law, this Court applies bad faith multipliers for a total judgment of \$
ACTUAL DAMAGES.

9. This Plaintiff is awarded _____ % of all funds returned, assets frozen, or as may be assigned, as a whistleblower's benefit.

10. All Federal, State of Illinois, and City of Chicago, appropriate Inspector General's offices are herewith ordered to assess the total amount of all monies, accounts frozen, assets, or real property, frozen or assigned, returned to the government and/or assigned to this Plaintiff as required by this judgment, on or before July 19, 2008.

11. This Plaintiff is granted leave to file a writ of mandamus with this Court or the US District Court Chicago, Illinois to mandate all appropriate Inspector General's offices, all government funding, to the City of Chicago on August 16, 2008 or within 30 days thereafter, if the total amount of this judgment is not assessed and/or paid or such arrangement as may be made.

12. This is expressly a civil judgment only.

Affirmed

Cook County Circuit Court

Judge Leroy K. Martin Jr.

Ratified by

Judge of US District Court

RECEIVED

JAN 03 2008

MICHAEL W. DOBBINS
CLERK U.S. DISTRICT COURT

APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME:

James W. T. Brown

(Please print)

STREET ADDRESS:

7655 S. Michigan

CITY/STATE/ZIP:

Chicago IL 60618

PHONE NUMBER:

1 773 783-0399

CASE NUMBER:

08C 0051

Michael W. Dobbins
Signature

12-24-07
Date

APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME:

Jaine Hernandez d/b/a Aztec Trucking
inc
(Please print)

STREET ADDRESS:

315 Sherman Ave

CITY/STATE/ZIP:

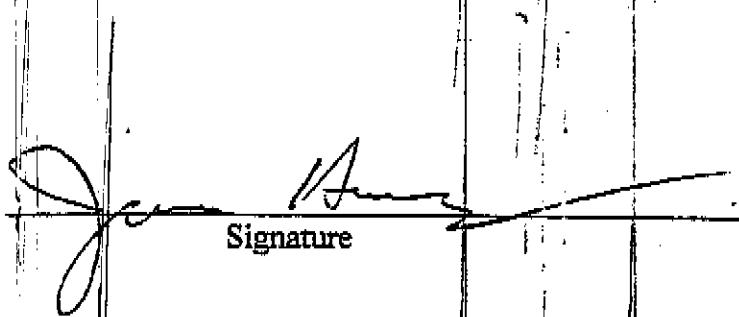
Calumet City, IL 60409

PHONE NUMBER:

(312) 215-5946 and (708) 847-2986

CASE NUMBER:

08C 0052


Signature

12-24-07
Date

RECEIVED

JAN 03 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

2021-07-22 08:53 18158053786

APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME _____

Hauswirtschaft

(Please print)

STREET ADDRESS:

120

CITY/STATE/ZIP:

Franklin JV

PHONE NUMBER:

708-296-2459

CASE NUMBER:

080 0053


Signature

Digitized by

12-20-07

107

RECEIVED

JAN 03 2009

MICHAEL W. JOBBINS
CLERK, U.S. DISTRICT COURT

APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME:

Cannie Shaw Jr. 1/16/08 Ex 15 Tnud (10
(Please print) Fne

STREET ADDRESS:

1400 S. Western Ave

CITY/STATE/ZIP:

Chicago IL, 60608

PHONE NUMBER:

312-243-4638

CASE NUMBER:

08C 005

Cannie Shaw Jr.
Signature

12-24-07
Date

RECEIVED

JAN 03 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME:

CLEMON LACY

(Please print)

STREET ADDRESS:

724 E. 104th ST

CITY/STATE/ZIP:

CHICAGO IL 60625

PHONE NUMBER:

773-264-2557 / 2735446422

CASE NUMBER:

080 005Clemson Lacy

Signature

12/24/07

Date

RECEIVED

W. DOBRINSKI

BY

REQUEST FOR A DOCKET CORRECTION

TO: Michael Dobbins, Clerk U.S. District Court
 U.S. Court House
 219 S. Dearborn
 Chicago, IL 60604

FROM: James Williams
 Pro Se
 6841 S. Kenwood St.
 Chicago, IL 60602

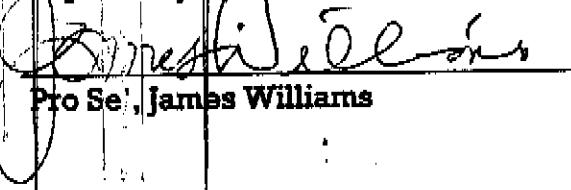
Mr. Dobbins;

Please make the following corrections to the docket history pages of the two cases referenced; 08 C 0051 and 08 C 0051, as noticed to the Judges, Parties and both Clerks.

Additionally, include the corrected docket from The Circuit Court of Cook County, Illinois, consolidated case #07 CH 26147.

1. Case filed January 3, 2008, With Concurrent Jurisdiction as Consolidated Case 07 CH 26147 in Circuit Court, Cook County, Illinois, Chicago, IL 60602.
2. Concurrent & Reciprocal Jurisdiction perfected with duplicated filing in both Courts of "Removal Motion," "Motion to Consolidate" and "Affidavit of Mayor Richard M. Daley", 1/03/08.
3. At hearing in The Circuit Court, Cook County, Illinois, 1/11/08, before Judge Martin;
 - A. Motion to Consolidate-Granted, This Court Consolidated to 08 C 0051.
 - B. Concurrent and Jurisdictional Reciprocity Approved.
 - C. Respondents enter Plea of "No Contest," with admissions and confessions accepted by Circuit Court.
 - D. Parties Agree to Proceed before Magistrate Judge.
 - E. Summary Judgment Hearing Set, 1/31/08, Circuit Court, Cook IL., Rm 2008.
4. Notice and Request for Docket Correction.
5. Prior History of Service, Notice and filings incorporated in Consolidated Case 07 CH 26147, Circuit Court, Cook County, Illinois.
 - A. Respondents' agreement to proceed before a Magistrate Judge, filed 1/7/08.
 - B. Plaintiff filed Agreement to Proceed before a Magistrate Judge, 12/24/07.
6. Removal Motion pending action of Cook County, Circuit Court.
7. Ratification by this Court pending as may be assigned.

Respectfully Yours,


 Pro Se, James Williams

REQUEST FOR A DOCKET CORRECTION

TO: Dorothy Brown, Clerk of the Circuit Court
Circuit Court, Cook County, Illinois
County Department- Chancery Division
ATT; Docketing Section
50 W. Washington
Chicago, IL 60602

FROM: James Williams
Pro Se'
6841 S. Kenwood
Chicago, IL 60602

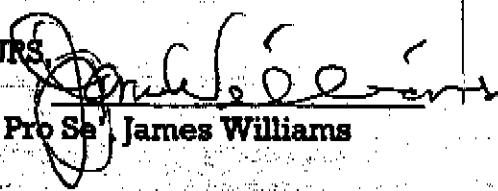
Ms. Brown;

Please make the following corrections to the docket history of the Consolidated Case, 07 CH 26147.

Additionally, as Judge Martin has approved these matters for Concurrent Reciprocal Jurisdiction, please forward a corrected copy of the docket to Mr. Dobbins, Clerk of the U.S. District Court, Chicago, IL 60604, for inclusion in the consolidated docket history of 08 C 0051.

1. Respondents file a "Motion For Summary Judgment" as a combined dismissal, 11/26/07.
2. 12/3/07, Progression Order Entered; Judicial Advisio of Concurrent Reciprocal Jurisdiction availability; Authority to Amend and Respond.
A Status Hearing Set for 1/11/08.
3. 12/24/07, Plaintiffs' Answer with incorporated Motions and Notice; Removal with Concurrent Jurisdiction; Motion To Consolidate(ex post facto); Affidavit.
A. Plaintiffs' Agreement to Summary Judgment.
B. Plaintiffs' Agreement to proceed before a Magistrate Judge.
C. Plaintiffs' Pro Se' Appearance forms filed.
D. Notice of proceeding as a Reciprocal Concurrent Jurisdictional matter.
4. 1/3/08, Reciprocity of Concurrent Jurisdiction established with U.S. District Court, Chicago, IL., 60604.
5. 1/7/08, Respondents file Response to Plaintiffs' amended Answer.
A. Constructively enter a plea of "No Contest."
B. Agree to proceed before a Magistrate Judge.
6. 1/11/08, Summary Judgment set for 1/31/08.
A. Plaintiffs' "Motion to Consolidate" (ex post facto)- Granted.
B. Concurrent Reciprocal Jurisdiction Approved.
C. Respondents' plea of "No Contest" accepted by the Court.
7. "Removal Motion" pending this Court's action.
8. Notice and Request for Docket Correction.

RESPECTFULLY YOURS,


Pro Se' James Williams

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois - CM/ECF LIVE, Ver 3.0
Eastern Division

Jaime Hernandez, et al.

Plaintiff,

v.

City of Chicago, et al.

Defendant.

Case No.: 1:08-cv-00054
Honorable Joan B. Gottschall

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, January 15, 2008:

MINUTE entry before Judge Joan B. Gottschall :Status hearing set for 3/5/2008 at 09:30 AM. Plaintiff is directed to advise the defendants of the status hearing forthwith. Parties are directed to discuss settlement of case, consent to proceed before the Magistrate Judge and a proposed discovery plan. Mailed notice(j,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

Connie Shaw
1400 South Western
Chicago, IL 60608

1:08-cv-00054

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois - CM/ECF LIVE, Ver 3.0
Eastern Division

Jaime Hernandez

Plaintiff,

v.

Case No.: 1:08-cv-00052

Honorable Ronald A. Guzman

City Of Chicago

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, January 8, 2008:

MINUTE entry before Judge Ronald A. Guzman :The Court orders the parties to appear for an initial status hearing. All parties shall refer to and comply with Judge Guzman's requirements for the initial appearance as outlined in Judge Guzman's case management procedures, which can be found at: www.ilnd.uscourts.gov. Status hearing set for 1/29/2008 at 09:30 AM.Mailed notice(cjg,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

Jaime Hernandez
318 Saginaw Ave
Calumet, IL 60405

1:08-cv-00052

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois - CM/ECF LIVE, Ver 3.0
Eastern Division**

Jaime Hernandez, et al.

Plaintiff,

v.

City of Chicago, et al.

Defendant.

Case No.: 1:08-cv-00053

Honorable Joan B. Gottschall

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For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

Jaime Hernandez
318 Saginaw
Calumet City, IL 60409

1:08-cv-00053

CHICAGO, ILLINOIS

CHICAGO, IL

Check No.

01 18 08 1:08-07-00001; FEE REFUND 00625114

Pay to

the order of AZTEC TRUCKING INC
900 HARDING AVE
REFUND OBCV56
CALUMET CITY, IL 60409

*****350*00

ONE HUNDRED FIFTY DOLLARS

REF. NO. 312-435-6066

DISBURSEMENT OFFICE

REF. NO. 40000005184 0062511454

Docket Form (01/2005)

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 56	DATE	January 10, 2008
CASE TITLE	<i>Lacy v. City of Chicago</i>		

DOCKET ENTRY TEXT:

This case is dismissed as duplicative of 08 C 52. The clerk is directed to return the filing fee to the plaintiff.

[For further details see text below.]

STATEMENT

This matter is before the court pursuant to 28 U.S.C. § 1446(c)(4), which requires the court to examine notices of removal to determine if removal is proper. The pro se document opening this case is styled as a notice of removal. Cases can be removed from state court to federal court when a plaintiff sues a defendant in state court and federal jurisdiction (i.e., the power to hear a case) exists because either: (1) the parties are from different states and the amount in controversy exceeds \$75,000; or (2) the state court complaint seeks relief under federal law. If either of those scenarios exist, all of the defendants (not the plaintiff, who chose a state court forum when he filed his complaint in state court) can remove the case to federal court. In this instance, however, the plaintiff has filed a notice of removal and appear to be trying to shift his state court case to federal court so this court can revisit decisions made by the state court.

As a general matter, federal district courts may not exercise jurisdiction in an appellate capacity over the state court judicial process. *See Rocker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *Dist. Of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983). This principle is known as the *Rocker-Feldman* doctrine. Normally, the court would construe this filing as a complaint and then consider whether an independent basis for federal jurisdiction exists and whether the *Rocker-Feldman* doctrine bars the plaintiff's claims. However, the court noticed that the plaintiff filed an identical complaint (No. 08 C 52), which was assigned to Judge Guzman (the court also notes that the plaintiff filed two other cases - Nos. 08 C 53, 08 C 54 - which appear to be related and were assigned to Judge Gottschall). Because this case is duplicative of the lower-numbered case before Judge Guzman, it is hereby dismissed.

Courtroom Deputy
Initiate

RTH/c